

526 Rec'd PCT/PTO 22 MAR 2000

UNITED STATES PATENT AND TRADEMARK OFFICE



In re:

Applicant: BENZ, W., et al

Serial No.: 09/091,865

Filed: June 25, 1998

#5
DAC
MP
2000
RECEIVED
NOV 23 1999
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

November 17, 1999

Hon. Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Reference is made to the Notification of Abandonment of which
a copy is attached hereto.

This application became abandoned because the applicant
allegedly did not respond to a Notification of Missing Requirements. The
missing requirements of which a copy is also attached hereto was issued
because the Declaration was allegedly not executed by the inventors.

-1-

Box: DAC

Certificate of Mailing	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. ✓	
On	11/18/99

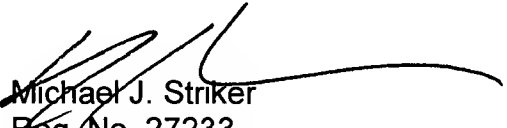
Upon receipt of the Notification of Missing Requirements, the undersigned telephoned the person who executed the Notification of Missing Requirements and indicated that in fact the papers which were filed did bear the complete signature of all of the inventors. A copy of the signature page is attached hereto and a review of the PTO file will reveal that the originally filed papers did bear the signatures of the inventors.

Thereafter, a message was left with this office indicating that the Notification of Missing Requirements was to be considered as withdrawn.

However, no entry of these telephone conversations was made in the file of the subject application.

This notwithstanding, it is believed that this petition should be granted because the Notification of Missing Requirements was clearly improper and the subject application was filed in full compliance with all requirements regarding signature.

Respectfully submitted,



Michael J. Striker
Reg. No. 27233
103 East Neck Road
Huntington, NY 11743
(516)549-4700

Signature: <i>Bentz</i>	Date: <i>16.11.98</i>	Residence and Full Postal Address: Alte Grosssachsenheimer Strasse 3 D-74343 Sachsenheim Germany
Full Name of First or Sole Inventor: Willy BENTZ	Citizenship: DE	
Signature: <i>Piotr Deptula</i>	Date: <i>20.4.98</i>	Residence and Full Postal Address: Firstwaldstrasse 15 D-72116 Moessingen Germany
Full Name of Second Inventor: Piotr DEPTULA	Citizenship: DE	
Signature: <i>Waldemar Ernst</i>	Date: <i>27.04.98</i>	Residence and Full Postal Address: Ziegelgartenstrasse 23 D-71665 Vaihingen/Enz Germany
Full Name of Third Inventor: Waldemar ERNST	Citizenship: DE	
Signature:	Date:	Residence and Full Postal Address:
Full Name of Fourth Inventor:	Citizenship: DE	
Signature:	Date:	Residence and Full Postal Address:
Full Name of Fifth Inventor:	Citizenship:	
Signature:	Date:	Residence and Full Postal Address:
Full Name of Sixth Inventor:	Citizenship:	



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
BOX PCT
Washington, D.C. 2023W 244

09/091,865

US APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

STRIKER STRIKER & STENBY
PATENTS & TRADEMARKS
103 EAST NECK RD.
HUNTINGTON NY 11743

5611

PCT/DE96/02240



INTERNATIONAL APPLICATION NO.

11/22/96

03/09/96

I.A. FILING DATE

PRIORITY DATE

11/03/96

DATE MAILED:

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as

☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has made the following determination:

- ☐ Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
- ☐ Applicant has failed to provide the full U. S. Basic National Fee by ☐ 20 months (37 CFR 1.494 (b)(2)), ☐ 30 months (37 CFR 1.495 (b)(2)).
- ☒ Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 24 NOV 1998 within the time period set therein.
- ☐ Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
- ☐ Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR

☐ 1.494, ☒ 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

Anita Johnson

Telephone: (703) 305-3661

Anita Johnson
PCT International Division